

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CLARENCE GREEN,

Plaintiff,

DECISION AND ORDER

04-CV-6213L

v.

SUPERINTENDENT VICTOR HERBERT,
et al.,

Defendants.

By motion filed July 15, 2009 (Dkt. #98) defendants moved for summary judgment.

By letter dated July 10, 2009, and filed July 21, 2009 (Dkt. #99), plaintiff, Clarence Green, requests a lengthy extension, until October 2009 to respond to proceedings in the case because he has been moved to a facility, the Southport Correctional Facility, where he alleges that the opportunity to use the law library is limited.

Plaintiff's motion (Dkt. 99) is granted, in part. Plaintiff must respond to defendants' motion for summary judgment on or before October 5, 2009.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 22, 2009.